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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/785,430	02/23/2004	Walter D. Mieher	KLA1P117X1F/P1151/7

CONFIRMATION NO. 8601

## FORMALITIES LETTER



\*OC000000012675142\*

022434

BEYER WEAVER & THOMAS LLP  
 P.O. BOX 778  
 BERKELEY, CA 94704-0778

Date Mailed: 05/17/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

07/23/2004 MMEKONEN 00000035 10785430

FILED UNDER 37 CFR 1.53(b)

01 FC:1001	770.00 OP
02 FC:1051	130.00 OP
03 FC:1202	18.00 OP

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of \$18 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$918** for a Large Entity

- **\$770** Statutory basic filing fee.
- **\$130** Late oath or declaration Surcharge.

- Total additional claim fee(s) for this application is **\$18**

- **\$18** for **1** total claims over 20.

Replies should be mailed to:    Mail Stop Missing Parts  
                                                 Commissioner for Patents  
                                                 P.O. Box 1450  
                                                 Alexandria VA 22313-1450

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*A copy of this notice **MUST** be returned with the reply.*

T. Ketsels  
Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Mieher, et al.

Attorney Docket No.:  
KLA1P117X1F/P1151/7

Application No.: 10/785,430

Examiner: Unassigned

Filed: February 23, 2004

Group: 2877

Title: APPARATUS AND METHODS FOR  
DETECTING OVERLAY ERRORS USING  
SCATTEROMETRY

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as first-class mail on July 19, 2004 in an envelope addressed to the Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450.

Signed: \_\_\_\_\_

Natalie Morgan

**RESPONSE TO NOTICE TO FILE MISSING PARTS**

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Enclosed herewith is the executed Declaration and Power of Attorney and executed Assignment in response to the Notice to File Missing Parts of Application--Filing Date Granted mailed February 23, 2004. Please file these documents in the subject application.

Enclosed is our Check No. 9373 for \$958.00 in payment of the filing fee, excess claims fee, surcharge, and -month(s) extension fee (if any) for a Large Entity. The Commissioner is authorized to charge any additional fees that may be due to our Deposit Account No. 500388 (Order No. KLA1P117X1F/P1151/7).

Respectfully submitted,  
BEYER WEAVER & THOMAS, LLP

  
Mary Ramos Olynick  
Registration No. 42,963

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